

REMARKS

The Final Office Action mailed January 24, 2007 and the Advisory Actions dated April 20, 2007 and May 21, 2007 have been received and reviewed.

In his responses to the Final Office Action, Applicant requested that the Examiner enter amendments to the specification. The amendments were not entered because the Examiner considered that it raised issues of new matter.

Since the previous amendments were not entered, this amendment, which applicant believes does not raise issues of new matter, is directed toward the Final Office Action mailed January 24, 2007. Applicant believes that this amendment places the Application in condition for acceptance.

Claims 1-40 are pending. Claims 10, 11 and 14 are allowed. Claims 1-9 and 15-31 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner objects to the claims because they are unduly broad and do not set forth any structure to allow one to ascertain the scope of the claims. The examiner also objects to the use of the auxiliary verb *may* as being indefinite, thereby preventing one of ordinary skill to determine the bounds of the claim.

Applicant has cancelled claims 1-9, 12, and 13.

Claims 15-31 are also objected to as being dependent on rejected base claims. Claims 13 and 32-40 are also objected to as being dependent upon a rejected base claim.

The examiner states that claims 15-31 would be allowable if rewritten to overcome the rejection(s) under 35 USC 112, 2nd paragraph cited above, and to include all of the limitations of the base claim and any intervening claims. Specifically, claims 16-23 were dependent on claim 15 which was dependent on cancelled claim 1, and claims 25-31 were dependent on claim 24 which was dependent on cancelled claim 3.

Applicant has re-written all remaining claims to eliminate the word *may*.

Applicant has cancelled claim 15 and rewritten claims 16-23 to depend on new independent claim 41 which contains all the limitations of claim 15 and cancelled claim 1. In addition, applicant has cancelled claim 24 and rewritten claims 25-31 to depend on new independent claim 42 which contains all of the limitations of claim 24 and cancelled claim 3.

Accordingly, claims 16-23, 25-31, and 41-42 should be allowable.

The examiner also states that claims 13 and 32-40 would be allowable if rewritten in independent form including all of the limitations of the base claim (claim 12) and any intervening claims. Applicant has rewritten claims 13 and 32-40 to depend on new independent claim 42 which contains all the limitations of cancelled claim 12.

Accordingly, claims 13, 32-40, and 43 should be allowable.

Based on the foregoing, applicant believes that, if this amendment is entered, his application will be in condition for allowance.

Applicant has amended the specification by adding paragraphs on pages 1 and 3 undating the status of the BPU application (as an issued patent) and the HEC divisional application, and an "equivalence" paragraph on page 19 for features and modifications of the disclosed embodiments that should be apparent to those skilled in the art.

Based on the foregoing amendments and remarks, Applicant submits that the present claims are not indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as his invention, nor are they anticipated by the references cited by the examiner. Accordingly Applicant respectfully requests that the Examiner withdraw the rejections and objections, allow the claims, and allow this case to proceed to issue.

If any issues remain, the resolution of which may be resolved through a telephone conference, the Examiner is invited to contact Applicant's attorney at the number listed below.

Applicant thanks the Examiner for his prompt advisory actions and helpful comments.

Respectfully submitted,



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